

REMARKS

By this Amendment, claims 1-8 are amended, claims 9-14 are cancelled, and claims 15-36 are added. Thus, claims 1-8 and 15-36 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The specification and abstract have been carefully reviewed and revised in order to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and abstract are incorporated in the attached substitute specification and abstract. No new matter has been added.

Also attached hereto is a marked-up version of the substitute specification and abstract illustrating the changes made to the original specification and abstract.

In item 4 page 2 of the Office Action, claims 1-8 and 11-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Han (U.S. Patent Application Publication No. 2002/0094847). This rejection is believed to be moot with respect to claims 11-12 in view of the cancellation of these claims.

Without intending to acquiesce to this rejection, independent claim 1 has been amended to more clearly illustrate the marked differences between the present invention and the applied references. Furthermore, the Applicants respectfully submit that this rejection is inapplicable to new independent claims 18, 29 and 33 for the following reasons.

The present invention provides an information processing terminal and an information processing method which realize the prevention of resource conflicts without requiring application programmers to pay special attention to the problem. Furthermore, the information processing terminal and information processing method of the present invention realize the prevention of resource conflicts even in the case where applications which are not programmed so as to abide by the resource conflict-resolving mechanism are present.

To achieve these features, the information processing terminal of the present invention includes a priority management section which manages a priority level of a combination of a plurality of software pieces and a plurality of resources. This is unique to the present invention. As a result of this feature of the present invention, it becomes possible to realize the most appropriate access management in accordance with a characteristic of a software piece. For example, with respect to a display, a priority given to a browser is higher than a priority given to a telephone application. On the other hand, with respect to a communication connection for a

cellular phone, for example, a higher priority is given to a telephone application than a browser application.

The information processing terminal of claim 1 is recited as comprising, in part, a priority management section for managing a priority level with respect to a combination of the plurality of software pieces and the plurality of resources. The information processing method of new claim 29 is recited as comprising, in part, managing a priority level of a combination of the plurality of software pieces and the plurality of resources.

Accordingly, the information processing terminal of claim 1 and the information processing terminal of new claim 29 each provide the aforementioned effect of realizing the most appropriate access management in accordance with a characteristic of a software piece.

This feature of claims 1 and 29 and the effects thereof are neither disclosed nor suggested by Han. Therefore, claims 1 and 29 are clearly not anticipated by Han since Han fails to disclose each and every limitation of claims 1 and 29.

Another aspect of the invention provides the information processing terminal with a resource state management section for managing a state of use of a plurality of resources. Furthermore, the information processing terminal of the present invention is provided with a conflict determination section for determining, by using an acquired priority level of an exploiting-software piece that currently uses a resource, an acquired priority level of a requesting-software piece that requests access to the resource, and a state of use of a resource other than the resource which is the target of the requested access, which one of the exploiting-software piece and requesting-software piece should be granted access to the resource which is the target of the requested access.

This feature is also unique to the present invention. As a result of this feature, a determination is made as to which software piece should be granted access to a resource which is the target of a requested access based on a state of use of another resource besides the resource which is the target of a requested access.

The information processing terminal of new claim 18 is recited as comprising a resource state management section for managing a state of use of the plurality of resources. Furthermore, the information processing terminal of new claim 18 is recited as comprising a conflict determination section for determining, by using the priority level acquired by the exploiting-software priority acquisition section, the priority level acquired by the requesting-software

priority acquisition section, and a state of use of a resource other than the at least one resource which is the target of the requested access, which one of the exploiting-software piece and requesting-software piece should be granted access to the at least one resource.

The information processing method of new claim 33 is recited as comprising managing a state of use of the plurality of resources. Furthermore, the information processing method of new claim 33 is recited as comprising determining which one of the exploiting-software piece and the requesting-software piece should be granted access to the at least one resource by using the priority level acquired in the acquiring of the priority level of the exploiting-software piece, the priority level acquired in the acquiring of the requesting-software piece, and a state of use, which is managed in the managing of the state of use of the plurality of resources, of a resource other than the at least one resource which is the target of the request for access.

These features of new claims 18 and 33 and the effects thereof are neither disclosed nor suggested by Han. Therefore, new claims 18 and 33 are clearly not anticipated by Han since Han fails to disclose each and every limitation of new claims 18 and 33.

Accordingly, for the foregoing reasons, the Applicants respectfully submit that independent claims 1, 18, 29 and 33 are clearly not anticipated by Han since Han fails to disclose each and every limitation of claims 1, 18, 29 and 33.

In item 7 on page 7 of the Office Action, claims 9-10 and 13-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Han in view of Uya et al. (U.S. 5,530,797). This rejection is believed to be moot in view of the cancellation of claims 9-10 and 13-14.

As demonstrated above, Han fails to disclose or suggest each and every limitation of claims 1, 18, 29 and 33.

Similar to Han, Uya et al. also fails to disclose or suggest the priority management section of claim 1 and managing a priority level of a combination of the plurality of software pieces and the plurality of resources, as recited in new claim 29.

Furthermore, similar to Han, Uya et al. also fails to disclose or suggest the resource state management section and the conflict determination section of new claim 18. Similarly, Uya et al. fails to disclose or suggest managing a state of use of a plurality of resources, and the operation of determining which one of the exploiting-software piece and the requesting-software piece should be granted access to the resource for which is the target of the request for access, as recited in new claim 33.

Therefore, Uya et al. fails to cure the deficiencies of Han for failing to disclose or suggest each and every limitation of claims 1, 18, 29 and 33.

Accordingly, no obvious combination of Han and Uya et al. would result in the inventions of claims 1, 18, 29 and 33 since Han and Uya et al., either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1, 18, 29 and 33.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Han and Uya et al. in such as manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 18, 29 and 33.

Therefore, it is submitted that the claims 1, 18, 29 and 33, as well as claims 2-8, 15-17, 19-28, 30-32 and 34-36 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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